

CHAPTER 82—ASSISTANCE IN ESTABLISHING NEW STATE MEDICAL SCHOOLS; GRANTS TO AFFILIATED MEDICAL SCHOOLS; ASSISTANCE TO HEALTH MANPOWER TRAINING INSTITUTIONS

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AMENDMENTS

1991—Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404, substituted "DEPARTMENT" for "VETERANS' ADMINISTRATION" in headings for subchapters III and IV and "Department" for "Veterans' Administration" in item 8241.

Pub. L. 102-40, title IV, §402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 5070 to 5096 as 8201 to 8241, respectively.

§ 8201. Coordination with public health programs; administration

(a) The Secretary and the Secretary of Health and Human Services shall, to the maximum extent practicable, coordinate the programs carried out under this chapter and the programs carried out under titles VII, VIII, and IX of the Public Health Service Act (42 U.S.C. 292 et seq.).

(b) The Secretary may not enter into any agreement under subchapter I of this chapter after September 30, 1979.

(c) The Secretary, after consultation with the special medical advisory committee established pursuant to section 7312(a) of this title, shall prescribe regulations covering the terms and conditions for entering into agreements and making grants under this chapter.

(d) Payments made pursuant to grants under this chapter may be made in installments, and either in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Secretary may determine.

(e) In carrying out the purposes of this chapter, the Secretary may lease to any eligible in-

stitution for such consideration and under such terms and conditions as the Secretary deems appropriate, such land, buildings, and structures (including equipment therein) under the control and jurisdiction of the Department as may be necessary. The three-year limitation on the term of a lease prescribed in section 8122(a) of this title shall not apply with respect to any lease entered into pursuant to this chapter, but no such lease may be for a period of more than 50 years. Any lease entered into pursuant to this chapter may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5). Notwithstanding section 321 of the Act of June 30, 1932 (40 U.S.C. 303b), or any other provision of law, a lease entered into pursuant to this chapter may provide for the maintenance, protection, or restoration, by the lessee, of the property leased, as a part or all of the consideration of the lease.

(f) In making grants under this chapter, the Secretary shall give special consideration to applications from institutions which provide reasonable assurances, which shall be included in the grant agreement, that priority for admission to health manpower and training programs carried out by such institutions will be given to otherwise qualified veterans who during their military service acquired medical military occupation specialties, and that among such qualified veterans those who served during the Vietnam era and those who are entitled to disability compensation under laws administered by the Secretary or whose discharge or release was for a disability incurred or aggravated in line of duty will be given the highest priority. In carrying out this chapter and section 7302 of this title in connection with health manpower and training programs assisted or conducted under this title or in affiliation with a Department medical facility, the Secretary shall take appropriate steps to encourage the institutions involved to afford the priorities described in the first sentence of this subsection and to advise all qualified veterans with such medical military occupation specialties of the steps the Secretary has taken under this subsection and the opportunities available to them as a result of such steps.

(g)(1) Each recipient of assistance under this chapter shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is made or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

(2) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any assistance under this chapter which are pertinent to such assistance.

(h) Not later than ninety days after the end of each fiscal year, the Secretary shall submit to the Congress a report on activities carried out under this chapter, including (1) an appraisal of the effectiveness of the programs authorized

herein in carrying out their statutory purposes and the degree of cooperation from other sources, financial and otherwise, (2) an appraisal of the contributions of such programs in improving the quantity and quality of physicians and other health care personnel furnishing hospital care and medical services to veterans under this title, (3) a list of the approved but unfunded projects under this chapter and the funds needed for each such project, and (4) recommendations for the improvement or more effective administration of such programs, including any necessary legislation.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1101, §5070; amended Pub. L. 94-581, title I, §116(1), (2), title II, §210(f)(1), Oct. 21, 1976, 90 Stat. 2853, 2854, 2865; Pub. L. 96-151, title I, §103(a), Dec. 20, 1979, 93 Stat. 1093; Pub. L. 96-330, title IV, §403(b), Aug. 26, 1980, 94 Stat. 1052; Pub. L. 97-295, §4(94), Oct. 12, 1982, 96 Stat. 1313; renumbered §8201 and amended Pub. L. 102-40, title IV, §§402(b)(2)(A), (d)(1), 403(b)(6), May 7, 1991, 105 Stat. 239, 240; Pub. L. 102-54, §14(f)(10), June 13, 1991, 105 Stat. 288; Pub. L. 102-83, §4(a)(1), (3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 403-405; Pub. L. 103-446, title XII, §1201(d)(20), Nov. 2, 1994, 108 Stat. 4685.)

REFERENCES IN TEXT

The Public Health Service Act, referred to in subsec. (a), is act July 1, 1944, ch. 373, 58 Stat. 682, as amended. Title VII of the Public Health Service Act was added by act July 30, 1956, ch. 779, §2, 70 Stat. 717, and is classified generally to subchapter V (§292 et seq.) of chapter 6A of Title 42, The Public Health and Welfare; Title VIII of the Public Health Service Act was added by act Sept. 4, 1964, Pub. L. 88-581, §2, 78 Stat. 908, and is classified generally to subchapter VI (§296 et seq.) of chapter 6A of Title 42; Title IX of the Public Health Service Act, which was added by act Oct. 6, 1965, Pub. L. 89-239, §2, 79 Stat. 926, was classified generally to subchapter VII (§299 et seq.) of chapter 6A of Title 42, and was repealed by Pub. L. 99-117, §12(d), Oct. 7, 1985, 99 Stat. 495. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

AMENDMENTS

1994—Subsec. (c). Pub. L. 103-446 substituted “section 7312(a)” for “section 4112(a)”.

1991—Pub. L. 102-40, §402(b)(2)(A), renumbered section 5070 of this title as this section.

Subsecs. (a) to (d). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

Subsec. (e). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Pub. L. 102-83, §4(a)(3), (4), substituted “Department” for “Veterans’ Administration”.

Pub. L. 102-54 amended subsec. (e) as in effect immediately before the enactment of Pub. L. 102-40 by substituting “5022(a)” for “5012(a)”.

Pub. L. 102-40, §402(d)(1), amended subsec. (e) as amended by Pub. L. 102-54 by substituting “8122(a)” for “5022(a)”. See above.

Subsec. (f). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

Pub. L. 102-83, §4(a)(3), (4), substituted “Department” for “Veterans’ Administration”.

Pub. L. 102-83, §4(a)(1), substituted “administered by the Secretary” for “administered by the Veterans’ Administration”.

Pub. L. 102-40, §403(b)(6), substituted “7302” for “4101(b)”.

Subsecs. (g), (h). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

1982—Subsec. (a). Pub. L. 97-295, §4(94)(A), substituted “Health and Human Services” for “Health, Education, and Welfare”, struck out “section 309 and” after “carried out under”, and inserted “(42 U.S.C. 292 et seq.)” after “the Public Health Service Act”.

Subsec. (e). Pub. L. 97-295, §4(94)(B), substituted “(including equipment therein)” for “including equipment therein)” and substituted “of” for “entitled ‘An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes,’ approved” after “section 321 of the Act”.

1980—Subsec. (e). Pub. L. 96-330 inserted “, but no such lease may be for a period of more than 50 years” after “with respect to any lease entered into pursuant to this chapter”.

1979—Subsec. (b). Pub. L. 96-151 substituted provisions prohibiting the Administrator from entering into any agreement under subchapter I after Sept. 30, 1979, for provisions prohibiting the Administrator from entering into any agreement under subchapter I or to make any grant, etc., under subchapter II or III after end of seventh calendar year after the calendar year in which this chapter takes effect.

1976—Subsec. (e). Pub. L. 94-581, §116(1), added subsec. (e). Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 94-581, §§116(1), 210(f)(1), redesignated former subsec. (e) as (f) and substituted “steps the Administrator has taken” for “steps he has taken”. Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 94-581, §116(1), redesignated former subsec. (f) as (g).

Subsec. (h). Pub. L. 94-581, §116(2), added subsec. (h).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

SHORT TITLE

For short title of Pub. L. 92-541, Oct. 24, 1972, 86 Stat. 1101, which enacted this chapter, see Short Title of 1972 Amendments note set out under section 101 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8213 of this title.

SUBCHAPTER I—PILOT PROGRAM FOR ASSISTANCE IN THE ESTABLISHMENT OF NEW STATE MEDICAL SCHOOLS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 8201, 8222 of this title.

§ 8211. Declaration of purpose

The purpose of this subchapter is to authorize the Secretary to implement a pilot program

under which the Secretary may provide assistance in the establishment of new State medical schools at colleges or universities which are primarily supported by the States in which they are located if such schools are located in proximity to, and operated in conjunction with, Department medical facilities.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1102, §5071; amended Pub. L. 94-581, title II, §210(f)(2), Oct. 21, 1976, 90 Stat. 2865; renumbered §8211, Pub. L. 102-40, title IV, §402(b)(2)(B), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5071 of this title as this section.

Pub. L. 102-83 substituted "Secretary" for "Administrator" in two places and substituted "Department" for "Veterans' Administration".

1976—Pub. L. 94-581 substituted "the Administrator" for "he".

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

§ 8212. Authorization of appropriations

(a) There is authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1973, and a like sum for each of the six succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants pursuant to section 8213 of this title.

(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the sixth fiscal year following the fiscal year for which they are appropriated.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1102, §5072; renumbered §8212 and amended Pub. L. 102-40, title IV, §402(b)(2)(B), (d)(1), May 7, 1991, 105 Stat. 239.)

AMENDMENTS

1991—Pub. L. 102-40, §402(b)(2)(B), renumbered section 5072 of this title as this section.

Subsec. (a). Pub. L. 102-40, §402(d)(1), substituted "8213" for "5073".

§ 8213. Pilot program assistance

(a) Subject to subsection (b) of this section, the Secretary may enter into an agreement to provide to any college or university which is primarily supported by the State in which it is located (hereinafter in this subchapter referred to as "institution") the following assistance to enable such institution to establish a new medical school:

(1) The extension, alteration, remodeling, improvement, or repair of buildings and structures (including, as part of a lease made under paragraph (1), the provision of equipment) provided under paragraph (1) to the extent necessary to make them suitable for use as medical school facilities.

(2) The making of grants to assist the institution to pay the cost of the salaries of the faculty of such school during the initial 12-month period of operation of the school and the next six such 12-month periods, but pay-

ment under this paragraph may not exceed an amount equal to—

(A) 90 percent of the cost of faculty salaries during the first 12-month period of operation,

(B) 90 percent of such cost during the second such period,

(C) 90 percent of such cost during the third such period,

(D) 80 percent of such cost during the fourth such period,

(E) 70 percent of such cost during the fifth such period,

(F) 60 percent of such cost during the sixth such period, and

(G) 50 percent of such cost during the seventh and eighth such periods.

(b)(1) The Secretary may not enter into any agreement under subsection (a) of this section unless the Secretary finds, and the agreement includes satisfactory assurances, that—

(A) there will be adequate State or other financial support for the proposed school;

(B) the overall plans for the school meet such professional and other standards as the Secretary deems appropriate;

(C) the school will maintain such arrangements with the Department medical facility with which it is associated (including but not limited to such arrangements as may be made under subchapter IV of chapter 81 of this title) as will be mutually beneficial in the carrying out of the mission of the medical facility and the school; and

(D) on the basis of consultation with the appropriate accreditation body or bodies approved for such purpose by the Secretary of Education, there is reasonable assurance that, with the aid of an agreement under subsection (a) of this section, such school will meet the accreditation standards of such body or bodies within a reasonable time.

(2) Any agreement entered into by the Secretary under this subchapter shall contain such terms and conditions (in addition to those imposed pursuant to section 8201(e) of this title and subsection (b)(1) of this section) as the Secretary deems necessary and appropriate to protect the interest of the United States.

(c) If the Secretary, in accordance with such regulations as the Secretary shall prescribe, determines that any school established with assistance under this chapter—

(1) is not accredited and fails to gain appropriate accreditation within a reasonable period of time;

(2) is accredited but fails substantially to carry out the terms of the agreement entered into under this chapter; or

(3) is no longer operated for the purpose for which such assistance was granted,

the Secretary shall be entitled to recover from the recipient of assistance under this chapter the facilities of such school which were established with assistance under this chapter. In order to recover such facilities the Secretary may bring an action in the district court of the United States for the district in which such facilities are situated.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1102, §5073; amended Pub. L. 94-581, title I,

§ 116(3), (4), title II, § 210(f)(3), Oct. 21, 1976, 90 Stat. 2854, 2865; Pub. L. 97-15, June 17, 1981, 95 Stat. 99; Pub. L. 97-295, § 4(95)(B), Oct. 12, 1982, 96 Stat. 1313; Pub. L. 99-576, title VII, § 702(16), Oct. 28, 1986, 100 Stat. 3302; renumbered § 8213 and amended Pub. L. 102-40, title IV, § 402(b)(2)(B), (d)(1), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, § 4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40, § 402(b)(2)(B), renumbered section 5073 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in introductory provisions.

Subsec. (b)(1). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

Subsec. (b)(1)(C). Pub. L. 102-83, § 4(a)(3), (4), substituted “Department” for “Veterans’ Administration”.

Subsec. (b)(2). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Pub. L. 102-40, § 402(d)(1), substituted “8201(e)” for “5070(e)”.

Subsec. (c). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

1986—Subsec. (a)(2). Pub. L. 99-576 substituted “12-month” for “twelve-month” wherever appearing in introductory provisions and in subpar. (A) and “percent” for “per centum” in subpars. (A) to (G).

1982—Subsec. (b)(1)(D). Pub. L. 97-295 substituted “Secretary of Education” for “Commissioner of Education of the Department of Health, Education, and Welfare”.

1981—Subsec. (a)(2)(G). Pub. L. 97-15 substituted “seventh and eighth such periods” for “seventh such period”.

1976—Subsec. (a). Pub. L. 94-581, § 116(3), redesignated pars. (2) and (3) as (1) and (2), respectively. Former par. (1), which authorized the leasing of such land, buildings, and structures under the control of the Veterans’ Administration as might be necessary for a new medical school, was struck out. See section 5070(e) of this title.

Subsec. (b)(1). Pub. L. 94-581, § 210(f)(3)(A), substituted “the Administrator” for “he” in provisions preceding subpar. (A).

Subsec. (b)(2). Pub. L. 94-581, §§ 116(4), 210(f)(3)(A), substituted “section 5070(e) of this title and subsection (b)(1) of this section” for “subsections (a)(1) and (b)(1) of this section” and “as the Administrator deems” for “as he deems”.

Subsec. (c). Pub. L. 94-581, § 210(f)(3)(B), substituted “the Administrator” for “he” in provisions preceding par. (1) and in provisions following par. (3).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8212 of this title.

§ 8214. Limitations

The Secretary may not use the authority under this subchapter to assist in the establishment of more than eight new medical schools. Such schools shall be located in geographically dispersed areas of the United States.

(Added Pub. L. 92-541, § 2(a), Oct. 24, 1972, 86 Stat. 1104, § 5074; renumbered § 8214, Pub. L. 102-40, title IV, § 402(b)(2)(B), May 7, 1991, 105 Stat. 239;

amended Pub. L. 102-83, § 4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5074 of this title as this section.

Pub. L. 102-83 substituted “Secretary” for “Administrator”.

SUBCHAPTER II—GRANTS TO AFFILIATED MEDICAL SCHOOLS

§ 8221. Declaration of purpose

The purpose of this subchapter is to authorize the Secretary to carry out a program of grants to medical schools which have maintained affiliations with the Department in order to assist such schools to expand and improve their training capacities and to cooperate with institutions of the types assisted under subchapter III of this chapter in carrying out the purposes of such subchapter.

(Added Pub. L. 92-541, § 2(a), Oct. 24, 1972, 86 Stat. 1104, § 5081; renumbered § 8221, Pub. L. 102-40, title IV, § 402(b)(2)(C), May 7, 1991, 105 Stat. 239; amended Pub. L. 102-83, § 4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5081 of this title as this section.

Pub. L. 102-83 substituted “Secretary” for “Administrator” and “Department” for “Veterans’ Administration”.

§ 8222. Authorization of appropriations

(a) There is authorized to be appropriated for carrying out programs authorized under this chapter \$50,000,000 for the fiscal year ending June 30, 1973; a like sum for each of the six succeeding fiscal years; \$15,000,000 for the fiscal year ending September 30, 1980; \$25,000,000 for the fiscal year ending September 30, 1981; and \$30,000,000 for the fiscal year ending September 30, 1982.

(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the sixth fiscal year following the fiscal year for which they are appropriated.

(c) There is authorized to be appropriated for fiscal year 1979 to carry out the programs authorized under this chapter such sums as may be necessary (1) to make to institutions with which the Secretary has entered into agreements under subchapter I of this chapter supplemental grants for which the Secretary had, before May 1, 1978, approved applications from such institutions, and (2) to meet fully the commitments made by the Secretary before May 1, 1978, for grants and applications approved under authority of this subchapter and subchapters III and IV of this chapter, except that no funds appropriated under this subsection may be used for grants and applications approved under this subchapter and such subchapters III and IV until the full amounts for which applications had been so approved have been obligated under such subchapter I.

(Added Pub. L. 92-541, § 2(a), Oct. 24, 1972, 86 Stat. 1104, § 5082; amended Pub. L. 95-520, § 7, Oct. 26, 1978, 92 Stat. 1822; Pub. L. 96-151, title I,

§ 103(b)(1), Dec. 20, 1979, 93 Stat. 1093; renumbered § 8222, Pub. L. 102-40, title IV, § 402(b)(2)(C), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, § 4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5082 of this title as this section.

Subsec. (c). Pub. L. 102-83 substituted "Secretary" for "Administrator" wherever appearing.

1979—Subsec. (a). Pub. L. 96-151 inserted provisions authorizing appropriations for fiscal years ending Sept. 30, 1980 through Sept. 30, 1982.

1978—Subsec. (c). Pub. L. 95-520 added subsec. (c).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8241 of this title.

§ 8223. Grants

(a) Any medical school which is affiliated with the Department under an agreement entered into pursuant to this title may apply to the Secretary for a grant under this subchapter to assist such school, in part, to carry out, through the Department medical facility with which it is affiliated, projects and programs in furtherance of the purposes of this subchapter, except that no grant shall be made for the construction of any building which will not be located on land under the jurisdiction of the Secretary. Any such application shall contain such information in such detail as the Secretary deems necessary and appropriate.

(b) An application for a grant under this section may be approved by the Secretary only upon the Secretary's determination that—

(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improving the medical education (including continuing education) program of the school;

(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be supplemented by funds or other resources available from other sources, whether public or private;

(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds expended under this subchapter; and

(4) the application provides for making such reports, in such form and containing such information, as the Secretary may require to carry out the Secretary's functions under this subchapter, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(Added Pub. L. 92-541, § 2(a), Oct. 24, 1972, 86 Stat. 1104, § 5083; amended Pub. L. 94-581, title II, §§ 207, 210(f)(4), Oct. 21, 1976, 90 Stat. 2860, 2865; Pub. L. 96-151, title I, § 103(b)(2), Dec. 20, 1979, 93 Stat. 1093; renumbered § 8223, Pub. L. 102-40, title IV, § 402(b)(2)(C), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, § 4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5083 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted "Secretary" for "Administrator" wherever appearing.

Pub. L. 102-83, § 4(a)(3), (4), substituted "Department" for "Veterans' Administration" in two places.

Subsec. (b). Pub. L. 102-83, § 4(b)(1), (2)(E), substituted "Secretary" for "Administrator" and "Secretary's" for "Administrator's" wherever appearing.

1979—Subsec. (b)(1). Pub. L. 96-151 struck out provisions relating to requirement that a substantial increase in number of medical students attending such school result from approval of grant.

1976—Subsec. (a). Pub. L. 94-581, § 207, substituted "pursuant to this title" for "pursuant to subchapter IV of chapter 81 of this title".

Subsec. (b). Pub. L. 94-581, § 210(f)(4), substituted "the Administrator's" for "his" in provisions preceding par. (1) and in par. (4).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

SUBCHAPTER III—ASSISTANCE TO PUBLIC AND NONPROFIT INSTITUTIONS OF HIGHER LEARNING, HOSPITALS AND OTHER HEALTH MANPOWER INSTITUTIONS AFFILIATED WITH THE DEPARTMENT TO INCREASE THE PRODUCTION OF PROFESSIONAL AND OTHER HEALTH PERSONNEL

AMENDMENTS

1991—Pub. L. 102-83, § 4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404, substituted "DEPARTMENT" for "VETERANS' ADMINISTRATION".

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 8221, 8222 of this title.

§ 8231. Declaration of purpose

The purpose of this subchapter is to authorize the Secretary to carry out a program of grants to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions affiliated with the Department, designed to coordinate, improve, and expand the training of professional and technical allied health and paramedical personnel, and to assist in developing and evaluating new health careers, interdisciplinary approaches and career advancement opportunities, so as to improve and expand allied and other health manpower utilization.

(Added Pub. L. 92-541, § 2(a), Oct. 24, 1972, 86 Stat. 1105, § 5091; renumbered § 8231, Pub. L. 102-40, title IV, § 402(b)(2)(D), May 7, 1991, 105 Stat. 239; amended Pub. L. 102-83, § 4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5091 of this title as this section.

Pub. L. 102-83 substituted "Secretary" for "Administrator" and "Department" for "Veterans' Administration".

§ 8232. Definition

For the purpose of this subchapter, the term "eligible institution" means any nonprofit edu-

cational facility or other public or nonprofit institution, including universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions for the training or education of allied health or other health personnel affiliated with the Department for the conduct of or the providing of guidance for education and training programs for health manpower.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1105, §5092; renumbered §8232, Pub. L. 102-40, title IV, §402(b)(2)(D), May 7, 1991, 105 Stat. 239; amended Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5092 of this title as this section.

Pub. L. 102-83 substituted "Department" for "Veterans' Administration".

§ 8233. Grants

(a) Any eligible institution may apply to the Secretary for a grant under this subchapter to assist such institution to carry out through the Department medical facility with which it is, or will become affiliated, educational and clinical projects and programs, matching the clinical requirements of the facility to the health manpower training potential of the eligible institution, for the expansion and improvement of such institution's capacity to train health manpower, including physicians' assistants, nurse practitioners, and other new types of health personnel in furtherance of the purposes of this subchapter. Any such application shall contain a plan to carry out such projects and programs and such other information in such detail as the Secretary deems necessary and appropriate.

(b) An application for a grant under this section may be approved by the Secretary only upon the Secretary's determination that—

(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improving the education (including continuing education) or training program of the eligible institution;

(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be supplemented by funds or other resources available from other sources, whether public or private;

(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds expended under this subchapter; and

(4) the application provides for making such reports, in such form and containing such information, as the Secretary may require to carry out the Secretary's functions under this subchapter, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1106, §5093; amended Pub. L. 94-581, title II, §210(f)(5), Oct. 21, 1976, 90 Stat. 2866; Pub. L.

96-330, title IV, §405, Aug. 26, 1980, 94 Stat. 1052; renumbered §8233, Pub. L. 102-40, title IV, §402(b)(2)(D), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5093 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in two places.

Pub. L. 102-83, §4(a)(3), (4), substituted "Department" for "Veterans' Administration".

Subsec. (b). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" and "Secretary's" for "Administrator's" wherever appearing.

1980—Subsec. (b)(1). Pub. L. 96-330 struck out "and will result in a substantial increase in the number of students trained at such institution, provided that there is reasonable assurance from a recognized accrediting body or bodies approved for such purposes by the Commissioner of Education of the Department of Health, Education, and Welfare that the increase in the number of students will not threaten any existing accreditation or otherwise compromise the quality of the training at such institution" after "training program of the eligible institution".

1976—Subsec. (b). Pub. L. 94-581 substituted "the Administrator's" for "his" in provisions preceding par. (1) and in par. (4).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

SUBCHAPTER IV—EXPANSION OF DEPARTMENT HOSPITAL EDUCATION AND TRAINING CAPACITY

AMENDMENTS

1991—Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404, substituted "DEPARTMENT" for "VETERANS' ADMINISTRATION".

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 8222 of this title.

§ 8241. Expenditures to remodel and make special allocations to Department hospitals for health manpower education and training

Out of funds appropriated to the Department pursuant to the authorization in section 8222 of this title, the Secretary may expend such sums as the Secretary deems necessary, not to exceed 30 per centum thereof, for (1) the necessary extension, expansion, alteration, improvement, remodeling, or repair of Department buildings and structures (including provision of initial equipment, replacement of obsolete or worn-out equipment, and, where necessary, addition of classrooms, lecture facilities, laboratories, and other teaching facilities) to the extent necessary to make them suitable for use for health manpower education and training in order to carry out the purpose set forth in section 7302, and (2) special allocations to Department hospitals and other medical facilities for the development or initiation of improved methods of education and training which may include the development or initiation of plans which reduce the period of required education and training for health personnel but which do not adversely affect the quality of such education or training.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1106, §5096; amended Pub. L. 94-581, title II, §210(f)(6), Oct. 21, 1976, 90 Stat. 2866; renumbered §8241 and amended Pub. L. 102-40, title IV, §§402(b)(2)(E), (d)(1), 403(b)(7), May 7, 1991, 105 Stat. 239, 240; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40, §402(b)(2)(E), renumbered section 5096 of this title as this section.

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Pub. L. 102-83, §4(a)(3), (4), substituted “Department” for “Veterans’ Administration” in section catchline and wherever appearing in text.

Pub. L. 102-40, §403(b)(7), substituted “7302” for “4101(b)”.

Pub. L. 102-40, §402(d)(1), substituted “8222” for “5082”.

1976—Pub. L. 94-581 substituted “the Administrator” for “he”.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

CHAPTER 83—ACCEPTANCE OF GIFTS AND BEQUESTS

Sec.	
8301.	Authority to accept gifts, devises, and bequests.
8302.	Legal proceedings.
8303.	Restricted gifts.
8304.	Disposition of property.
8305.	Savings provision.

AMENDMENTS

1991—Pub. L. 102-40, title IV, §402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 5101 to 5105 as 8301 to 8305, respectively.

§ 8301. Authority to accept gifts, devises, and bequests

The Secretary may accept devises, bequests, and gifts, made in any manner, with respect to which the testator or donor shall have indicated the intention that such property shall be for the benefit of groups of persons formerly in the active military, naval, or air service who by virtue of such service alone, or disability suffered therein or therefrom, are or shall be patients or members of any one or more hospitals or homes operated by the United States Government, or has indicated the intention that such property shall be for the benefit of any such hospital or home, or shall be paid or delivered to any official, as such, or any agency in administrative control thereof. The Secretary may also accept, for use in carrying out all laws administered by the Secretary, gifts, devises, and bequests which will enhance the Secretary’s ability to provide services or benefits.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1254, §5101; Pub. L. 99-576, title VII, §701(89), Oct. 28, 1986, 100 Stat. 3299; renumbered §8301, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405; Pub. L. 102-86, title V, §504, Aug. 14, 1991, 105 Stat. 426.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5101 of this title as this section.

Pub. L. 102-86 inserted at end “The Secretary may also accept, for use in carrying out all laws administered by the Secretary, gifts, devises, and bequests which will enhance the Secretary’s ability to provide services or benefits.”

Pub. L. 102-83 substituted “Secretary” for “Administrator”.

1986—Pub. L. 99-576 substituted “the” for “his” before “intention” in two places.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8305 of this title.

§ 8302. Legal proceedings

For the purpose of acquiring title to and possession of any property which the Secretary is by this chapter authorized to accept, the Secretary may initiate and appear in any appropriate legal proceedings, and take such steps therein or in connection therewith as in the Secretary’s discretion may be desirable and appropriate to reduce said property to possession. The Secretary may incur such expenses incident to such proceedings as the Secretary deems necessary or appropriate, which shall be paid as are other administrative expenses of the Department. All funds received by devise, bequest, gift, or otherwise, for the purposes contemplated in this chapter, including net proceeds of sales authorized by this chapter, shall be deposited with the Treasurer of the United States to the credit of the General Post Fund.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1254, §5102; Pub. L. 99-576, title VII, §701(90), Oct. 28, 1986, 100 Stat. 3299; renumbered §8302, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5102 of this title as this section.

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing, “Secretary’s” for “Administrator’s”, and “Department” for “Veterans’ Administration”.

1986—Pub. L. 99-576 substituted “the Administrator” for “he” in two places, “the Administrator’s” for “his”, and “The Administrator” for “He”.

§ 8303. Restricted gifts

Disbursements from the General Post Fund shall be made on orders by and within the discretion of the Secretary and in the manner prescribed in section 8523 of this title; except that (1) if the testator or donor has directed or shall direct that the devise, bequest, or gift be devoted to a particular use authorized by this chapter, the same, less expenses incurred, or the net proceeds thereof, shall be used or disbursed as directed, except that a precatory direction shall be fulfilled only insofar as may be proper or practicable; and (2) if the testator or donor shall have indicated the desire that the devise, bequest, or gift shall be for the benefit of persons in hospitals or homes, or other institutions operated by the United States but under the jurisdiction of an official other than the Secretary, the same, less expenses incurred, or the net proceeds thereof which may come into possession of the Secretary, shall be disbursed by transfer to the governing authorities of such in-